



THE ERIE COUNTY LEGISLATURE

Session No. 8

April 27, 2006

Lynn M. Marinelli
Chairman

Maria R. Whyte
Majority Leader

Barry A. Weinstein
Minority Leader

Kevin M. Kelley
Clerk of the Legislature

ROLL CALL

INVOCATION – Ms. Iannello

PLEDGE OF ALLEGIANCE – Mr. Kennedy

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS

WEINSTEIN, LOUGHRAN &
RANZENHOFER

Honoring the Amherst Senior Center Volunteers for Providing Comprehensive Services to the Senior Citizens of Amherst

WEINSTEIN, LOUGHRAN &
RANZENHOFER

Recognizing Amherst Drug Treatment Court for Ten Years of Service to the Residents of Amherst

WEINSTEIN, LOUGHRAN &
RANZENHOFER

Honoring Deep Govindaraj for Receiving the SUNY School's Chancellor Award for Spring 2006

MAJORITY CAUCUS

Honoring the Ukrainian Cultural Center Dnipro Upon Celebrating Their 50th Golden Anniversary on April 29, 2006

MAJORITY CAUCUS

Recognizing May 7 Through May 13, 2006 as Armed Forces Week in Erie County

KONST

Recognizing Kimberly Stribing for Her Heroism in Saving the Life of Lancaster Resident Daniel Gabamonte

HOLT

In Memory of Sister Karen Klimczak

SMITH & HOLT

Recognizing April 24 Through April 29, 2006 as National Crime Victims Week In Erie County

SMITH

Recognizing May 2 Through May 8, 2006 as Boys & Girls Club Week in Erie County

HOLT & SMITH

Recognizing Patricia Ann Ragin as WNY's #1 Gosper Personality "The Gospel Queen" On WBLK 93.7 FM

WHYTE & SMITH

Recognizing "Taste of Diversity Day Festival" On April 29, 2006 at Lafayette and Grant Streets

WHYTE & REYNOLDS

Honoring our Communities' Workers on Workers Memorial Day

MARINELLI, WHYTE, HOLT,
KENNEDY, KOZUB & MAZUR

Recognizing "Kids Day" On April 27, 2006 in the City of Buffalo

IANNELLO

Recognizing 2005 Grand Island Chamber of Commerce Award
Winners

LOCAL LAWS

REFERENCE

LL INT 7-1
3/30/2005

SMITH

The Local Law To Retain Jobs in
NYS

LL INT 12-1
10/19/2005

MARINELLI

A LL Amending the EC Charter & EC
Administrative Code as Amended, in
Relation to the Titles and Positions of
Deputy Commissioner and Deputy
Director

Government
Affairs

LL INT 2-1
3/8/2006

MARINELLI &
WEINSTEIN

A LL Imposing a Surcharge on
Wireless Communications Service in
Erie County

COMMITTEE REPORTS

REPORT NO. 7

ENERGY & ENVIRONMENT COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE

INTRO 8-1

HOLT & THE
DEMOCRATIC CAUCUS

Standing With The Buffalo Bills As
Out Hometown Team

INTRO 8-2

REYNOLDS

NYS Senate Bill S6821 and Assembly
Bill A9329

INTRO 8-3

RANZENHOFER, MILLS
& WEINSTEIN

Resolution to Terminate Sales Tax
Revenue Distribution Agreement of
December 30, 1977

INTRO 8-4

MARINELLI, WHYTE,
KENNEDY, LOCKLEAR,
KONST, LOUGHRAN,
IANNELLO & SMITH

Requesting Charter Revision
Commission Include Legislative
Oversight in County's Retention of
Counsel, Consultant or Lobbyist

INTRO 8-5

LOCKLEAR, MAJORITY
CAUCUS

Improvements at the Buffalo Airfield

INTRO 8-6

KOZUB, MARINELLI,
WHYTE, KONST,
LOCKLEAR, LOUGHRAN,
HOLT, KENNEDY,
MAZUR, SMITH &
IANNELLO

Urging the NYS Legislature to
Provide for Tax Credits to Volunteer
Firefighters

INTRO 8-7

REYNOLDS, KOZUB,
MARINELLI, WHYTE,
KOZUB, KONST, HOLT,
LOUGHRAN, MAZUR,
KENNEDY & IANNELLO

Efficiency in the Fire Safety Division

INTRO 8-8	WHYTE	Resolution in Support of NYS Assembly Bill A9807 / Senate Bill S6787
INTRO 8-9	KONST & MILLS	Designation of Provider for Erie Community College Audit Services
INTRO 8-10	MARINELLI	Appointment to the Erie County Water Authority
INTRO 8-11	MAZUR	Improving Economic Services in Erie County
INTRO 8-12	HOLT & IANNELLO	Support for Erie Community College
INTRO 8-13	REYNOLDS, DEMOCRATIC CAUCUS	Workers Memorial Day - April 28, 2006
INTRO 8-14	MARINELLI & HOLT	Rate of Pay for Special Election

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

<u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u>			<u>REFERENCE</u>
COMM. 8E-1	COMPROLLER	Audit of Wireless Devices	Government Affairs
COMM. 8E-2	COUNTY EXECUTIVE	Economic Impact of the Proposed Seneca Buffalo Creek Casino	Economic Development
COMM. 8E-3	DISTRICT ATTORNEY	Salary Changes	R&F
COMM. 8E-4	SMITH	Copy of Letter to ECDC Chair Re: Erie County Water Authority Chairperson	R&F
COMM. 8E-5	MARINELLI	Appointment of Commissioner of Erie County Water Authority	RFP
COMM. 8E-6	KENNEDY	Legislative Office Space	
COMM. 8E-7	DISTRICT ATTORNEY	District Attorney's Office - Salary Change	
COMM. 8E-8	SHERIFF	Erie County Sheriff's Office - Sheriff's Dispatchers	
COMM. 8E-9	COUNTY EXECUTIVE	Erie County's Plan under Article 18-B of the County Law for the Representation of Indigent Persons Entitled to Counsel	Public Safety
COMM. 8E-10	COUNTY EXECUTIVE	Amendment Number 2 to Erie County & NYS Canal Corporation Agreement Regarding Erie Canal Way Trail	Energy & Environment
COMM. 8E-11	COUNTY EXECUTIVE	Ralph Wilson Stadium - 2006 - General Construction Work Re-Bid, Phase 2	
COMM. 8E-12	COUNTY EXECUTIVE	DEP - Award of Contract - Comm. 6E-24 (2006) - ECSD No. 4 - Didion Road and Brunck Rd. Sewer Extension - Contract 37	Energy & Environment
COMM. 8E-13	COUNTY EXECUTIVE	CPS/Emergency Services - RF Systems Backup and Inbuilding Coverage - Authorization to Award Bid and Enter Into Contract	Public Safety
COMM. 8E-14	COUNTY EXECUTIVE	CPS - Acceptance of Award from the NYS Emergency Management Office to Establish citizens Corps Council for Erie County	Public Safety
COMM. 8E-15	COUNTY EXECUTIVE	CPS 2006-2007 - Firearm Lab Capacity Enhancement Initiative	Public Safety

COMM. 8E-16	COUNTY EXECUTIVE	License Agreement Between COE and NYSOT - Entry and Testing Agreement with NYSOT and MA/Com 800 MHz Radio System	Public Safety
COMM. 8E-17	COUNTY EXECUTIVE	Erie County Dept. of Senior Services - Authorization to Enter into Contracts	Human Services
COMM. 8E-18	COUNTY EXECUTIVE	Authorization to Impose \$5.00 Surcharge on Clerk's Fees; Home Rule Request Resolution	
COMM. 8E-19	COUNTY EXECUTIVE	Board of Elections Special Election for 142nd Assembly District	
COMM. 8E-20	COUNTY EXECUTIVE	Erie County Water Authority	R&F
COMM. 8E-21	COUNTY EXECUTIVE	ECSD No. 6 - Contract No. 41-G & 41-E - Wilmuth Avenue Pump Station - Mechanical Bar Screen and Roof Replacement Project - Bid Opening	Energy & Environment
COMM. 8E-22	COUNTY EXECUTIVE	ECSD No. 2 - Engineer Term Agreement - Work Order:MPI-5	Energy & Environment
COMM. 8E-23	COUNTY EXECUTIVE	Reconstruction of Maple Road (CR 192) - Intersection at Flint, North Forest and Hopkins Roads - Town of Amherst, NYSDOT PIN 5755.33 - Property Acquisition @ Maple/Hopkins Intersection	Economic Development
COMM. 8E-24	COUNTY EXECUTIVE	Reallocation of Budget Funds in the Division of Building & Grounds	Finance & Management
COMM. 8E-25	COUNTY EXECUTIVE	Erie County Probation and Youth Detention Services - United State Dept. of Justice - Violence Against Women Grant	Public Safety
COMM. 8E-26	COUNTY EXECUTIVE	Probation and Youth Detention Services - Contract with the City of Buffalo	Public Safety
COMM. 8E-27	COUNTY EXECUTIVE	Health - Prevention of Type 2 Diabetes in Children - 4/1/0 - 3/31/07	Health
COMM. 8E-28	COUNTY EXECUTIVE	Health - LEADSAFE Erie County 11/1/05 - 10/31/08 - SAP127LEADHAZARD0508	Health
COMM. 8E-29	COUNTY EXECUTIVE	Appointment to the Erie County Cultural Resource Advisory Board	RFP
COMM. 8E-30	MARINELLI	Appointment of Commissioner to the ECWA	
COMM. 8E-31	SHERIFF	Sheriff's Office – Personnel Adjustments	Public Safety

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE

COMM. 8D-1	OFFICE OF THE COMPTROLLER	Notice That Steven V. Suneson, Esq. is Unable to Serve on the Erie County Audit Committee	RFP
COMM. 8D-2	BUDGET, MANAGEMENT & FINANCE	2006 Adopted Budget	R&F
COMM. 8D-3	COUNTY ATTORNEY	Copy of State Supreme Court Justice Lanes Decision in the Warren v. County Legislature, County of Erie, Et Al matter	R&F
COMM. 8D-4	PERSONNEL	Hires/Fires/Separations March 2006	R&F
COMM. 8D-5	PARKS, RECREATION & FORESTRY	Erie County Parks Department - Wendt Beach - Comm. 24E-8	Energy & Environment
COMM. 8D-6	OFFICE OF THE COMPTROLLER	ECC Annual Financial Audit	R&F
COMM. 8D-7	HEALTH	Letter to Weinstein, Konst, Locklear & Mills Re: Intro 6-1	Health
COMM. 8D-8	BECPL	Agenda for Meeting to be Held 4/27/06	R&F
COMM. 8D-9	DPW	Rath Building 14th Floor Asbestos Abatement	Economic Development

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE

COMM. 8M-1	ECWA	Audited Financial Statements for FY Ending 12/31/2005	R&F
COMM. 8M-2	NYS DEPT. OF STATE	Copy of Filing of LL NO. 1-2006	RFP
COMM. 8M-3	ECFSA	Copy Notice of Deposit of \$42 Million in Their RAN Withholding Fund Account for the Repayment of the \$80 Million RAN	Finance & Management
COMM. 8M-4	BUFFALO PLACE	2005 Buffalo Place Annual Notice	R&F
COMM. 8M-5	TOWN OF EDEN	Copy of Certified Resolution Re: Removal of NYS Thruway Tolls	R&F
COMM. 8M-6	FRANCIS WARTHLING	Request for Consideration as Commissioner of ECWA	R&F
COMM. 8M-7	ECC	Notice of Board of Trustee Meeting Held 4/17/06	R&F

COMM. 8M-8	TIMOTHY J. DRURY - ERIE COUNTY COURTY JUDGE	Conditions of Erie County Holding Center and Correctional Facility	Public Safety
COMM. 8M-9	NYS DEPT. OF MOTOR VEHICLES	2006 STOP-DWI Plans for Erie County	R&F
COMM. 8M-10	ERIE COUNTY BAR ASSN. - AID TO INDIGENT PRISONERS SOCIETY - ASSIGNED COUNSEL PROGRAM	Quarterly Report of the Assigned Counsel Program for the 1st Quarter of 2006	R&F
COMM. 8M-11	LEGAL AID BUREAU	Unaudited Financial Statements for the 10-Months Ending 10/31/05	R&F
COMM. 8M-12	DANIEL J. AMATURA	Request for Appointment - Commissioner of ECWA	R&F
COMM. 8M-13	JOHN V. ELMORE	Erie County Water Authority	R&F

MEMORIAL RESOLUTIONS:

ADJOURNMENT: